

## **REMARKS/ARGUMENTS**

Reconsideration and withdrawal of the rejections of the application are respectfully requested in view of the amendments and remarks herewith, which place the application into condition for allowance. The present amendment is being made to facilitate prosecution of the application.

### **I. STATUS OF THE CLAIMS AND FORMAL MATTERS**

Claims 1-9 are pending in this application. Claims 1, 7 and 9 are independent and hereby amended. Support for this amendment is provided throughout the Specification and specifically on page 12.

No new matter has been introduced. Changes to claims are not made for the purpose of patentability within the meaning of 35 U.S.C. §101, §102, §103, or §112. Rather, these changes are made simply for clarification and to round out the scope of protection to which Applicant is entitled.

### **II. REJECTIONS UNDER 35 U.S.C. §103(a)**

Claims 1-9 were rejected under 35 U.S.C. §103(a) as allegedly unpatentable over U.S. Patent No. 6,640,301 to Ng (hereinafter, merely “Ng”), in view of U.S. Patent No. 6,327,656 to Zabetian (hereinafter, merely “Zabetian”), in further view of Applicant’s Admitted Prior Art, and further in view of U.S. Patent No. 6,594,693 to Borwankar et al. (hereinafter, merely “Borwankar”).<sup>1</sup>

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<sup>1</sup> Page 3 of the Office Action states that claims 1-3, 5 and 7-9 are rejected under 35 U.S.C. §103(a), but pages 3-8 indicates that claims 1-9 are rejected; therefore, to expedite prosecution, the rejection will be responded to as claims 1-9.

### III. RESPONSE TO REJECTIONS

Claim 1, recites *inter alia*:

“A communication contents certification system:

**... wherein the communication contents storage means stores the communication history of the electronic mail, and**

**wherein a contract is formed between the first party and the second party for using the communication contents certification system, via the contents certification system, prior to transmitting a certified transmission.**” (emphasis added)

On page 5 of the Office Action, the Examiner relies on Borwankar to reject the recitation of “wherein the communication contents storage means stores the communication history of the electronic mail” (claim 1, emphasis added). As understood by Applicant, Borwankar relates to methods, apparatus, and computer program for having an electronic conference among multiple clients over a computer network. Borwankar discloses that conference messages are sent from and by a computer network client and are not posted to a conference server. The conversation messages are synchronized by automatically storing all messages at the client computer.

Borwankar discloses that “in yet another embodiment, the conversation messages are synchronized by automatically storing all messages in the conversation at a client computer in a message store organized according to a history of the conversation” (Borwankar, column 3, lines 56-60, emphasis added). Applicant submits that Applicant’s “communication contents storage means” is not owned by a client. Indeed, Borwankar describes that the conversation messages are stored at the client terminal and fails to describe or suggest that the communication contents storage means stores the communication history of the electronic

**mail**, as recited in claim 1. Therefore Applicant respectfully submits that the cited portion of Borwankar fails to disclose or suggest the above-identified features in claim 1. Applicant submits that Borwankar fails to disclose or suggest the above-identified features in claim 1.

Furthermore, it is respectfully submitted that Ng, Zabetian, and Borwankar, taken alone or in combination, do not teach or suggest “**a contract is formed between the first party and the second party for using the communication contents certification system, via the contents certification system, prior to transmitting a certified transmission**”, as recited in claim 1. Nor does the art used as a basis of rejection teach or suggest that **the communication contents storage means stores the communication history of the electronic mail**, as recited in claim 1.

Therefore, Applicant respectfully submits that independent claim 1 is patentable.

Independent claims 7 and 9 are patentable for similar reasons.

Therefore, Applicant respectfully submits that independent claims 1, 7 and 9 are patentable.

#### **IV. DEPENDENT CLAIMS**

The other claims in this application are each dependent from one of the independent claims discussed above and are therefore believed patentable for at least the same reasons. Since each dependent claim is also deemed to define an additional aspect of the invention, however, the individual reconsideration of the patentability of each on its own merits is respectfully requested.

**CONCLUSION**

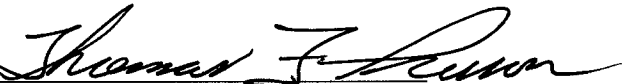
In the event the Examiner disagrees with any of statements appearing above with respect to the disclosures in the cited references it is respectfully requested that the Examiner specifically indicate those portions of the reference, or references, providing the basis for a contrary view.

Please charge any additional fees that may be needed, and credit any overpayment, to our Deposit Account No. 50-0320.

In view of the foregoing amendments and remarks, it is believed that all of the claims in this application are patentable and Applicant respectfully requests early passage to issue of the present application.

Respectfully submitted,

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